

By: Guerra

H.B. No. 3576

A BILL TO BE ENTITLED

AN ACT

relating to the collection and release of information on the Zika virus and other high consequence communicable diseases for certain purposes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section [81.046\(c\)](#), Health and Safety Code, as amended by Chapter 789 (H.B. 2646), Acts of the 84th Legislature, Regular Session, 2015, and Chapter 1278 (S.B. 1574), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(c) Medical or epidemiological information, including information linking a person who is exposed to a person with a communicable disease, may be released:

(1) for statistical purposes if released in a manner that prevents the identification of any person;

(2) with the consent of each person identified in the information;

(3) to medical personnel treating the individual, appropriate state agencies in this state or another state, a health authority or local health department in this state or another state, or federal, county, or district courts to comply with this chapter and related rules relating to the control and treatment of communicable diseases and health conditions or under another state or federal law that expressly authorizes the disclosure of this

1 information;

2 (4) to appropriate federal agencies, such as the
3 Centers for Disease Control and Prevention of the United States
4 Public Health Service, but, except as provided under Subsection
5 (c-3), the information must be limited to the name, address, sex,
6 race, and occupation of the patient, the date of disease onset, the
7 probable source of infection, and other requested information
8 relating to the case or suspected case of a communicable disease or
9 health condition;

10 (5) to medical personnel to the extent necessary in a
11 medical emergency to protect the health or life of the person
12 identified in the information;

13 (6) to governmental entities that provide first
14 responders who may respond to a situation involving a potential
15 communicable disease of concern and need the information to
16 properly respond to the situation; or

17 (7) to a local health department or health authority
18 for a designated monitoring period based on the potential risk for
19 developing symptoms of a communicable disease of concern.

20 SECTION 2. Section 81.046, Health and Safety Code, is
21 amended by adding Subsection (c-3) to read as follows:

22 (c-3) The following medical or epidemiological information
23 relating to a patient or an individual who has or is suspected of
24 having a present or potential health condition resulting from
25 exposure to a high consequence communicable disease, such as the
26 Zika virus, may be released to an appropriate federal agency that
27 requests the information for the purpose of creating a multistate

1 registry of cases of the communicable disease:

2 (1) the name, address, sex, race, and occupation of
3 the patient or individual;

4 (2) the date of the onset of the health condition
5 onset, as applicable;

6 (3) the probable source of infection or exposure; and

7 (4) other requested information relating to the case
8 or suspected case of the infection.

9 SECTION 3. Sections 81.061(a) and (c), Health and Safety
10 Code, are amended to read as follows:

11 (a) The department shall investigate the causes and effects
12 of communicable disease and methods of prevention.

13 (c) The department may investigate the existence of
14 communicable disease in the state to determine the nature and
15 extent of the disease and potential effects on the health of
16 individuals and to formulate and evaluate the control measures used
17 to protect the public health. A person shall provide records and
18 other information to the department on request according to the
19 department's written instructions.

20 SECTION 4. This Act takes effect September 1, 2017.